

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARSHALL WILLIAMS	:	CIVIL ACTION
	:	
v.	:	
	:	
EMC MORTGAGE CORPORATION INC.;	:	
et al.,	:	NO. 12-1215

ORDER

AND NOW, this 3rd day of May, 2013, upon consideration of the motions to dismiss filed by EMC Mortgage Corporation, Inc. (Docket No. 17), Kondaur Capital Corporation (Docket No. 19), and JP Morgan Chase & Co. (Docket No. 22), the opposition and replies thereto, and after oral argument on April 16, 2013, IT IS HEREBY ORDERED, for the reasons stated in a memorandum of law bearing today's date, that each defendant's motion is GRANTED.

The plaintiff's Truth in Lending Act, Fair Debt Collection Practices Act, Fair Credit Reporting Act, fraud and constructive fraud, Pennsylvania Unfair Trade Practices and Consumer Protection Law, and corporate negligence claims are dismissed with prejudice.

The plaintiff's contract claim and unjust enrichment claim is dismissed without prejudice. The plaintiff may file an

amended complaint to re-plead the claim dismissed without prejudice within 30 days of the date of this order.

BY THE COURT:

/s/ Mary A. McLaughlin  
MARY A. McLAUGHLIN, J.